

Docket No. AT 2028.21

#44

**Certificate of Transmission**

[ ] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to Box AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[ x ] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner D. Willse at Facsimile No. (703) 305-3391.

Dated: May 22, 2003

Name of Person Certifying: Peggy Nichols  
Printed Name: Peggy Nichols**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: SCHANZLIN, et al.  
 Filing Date: December 18, 1997  
 Serial No.: 08/993,696  
 Title: RADIAL INTRASTROMAL CORNEAL INSERT AND A METHOD OF  
 INSERTION

Examiner: D. Willse  
 Group Art Unit: 3738

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS  
 AND INTERFERENCES**

05/29/2003 THAKIM 0000003 502518 08993696

01 FC:2401 Sir: 160.00 CH

Applicant hereby appeals to the Board of Appeals from the Final Office Action dated November 22, 2002 of the Examiner rejecting claims 86-94. The items checked below are appropriate.

- Appeal Fee:  
 Large Entity Fee of \$320.00; or  
 Small Entity Fee of \$160.00.
- Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- Petition for Extension of Time (3 mos.)  
 Petition for Extension of Time Fee \$  
 Return Postcard.

Docket No. AT 2028.21

 Payment of Fees Enclosed is Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. Please charge Deposit Account No. 50-2518, in the amount of \$ 160.00 to cover the above-fees referencing billing reference No. 7004234002. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2518, referencing billing reference No. 7004234002.

DATE: May 22, 2003

Respectfully submitted,

By:   
Antoinette F. Konski  
Registration No.: 34,202

Bingham McCutchen, LLP  
Formerly McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center  
San Francisco, California 94111  
Telephone: (415) 393-2000  
Telefax: (415) 393-2286